

REMARKS

The application has been reviewed in light of the Office Action dated June 11, 2003. Claims 1-20 are pending with claims 1, 15, 17, and 19 being in independent form. Claims 1, 15, 17, and 19 have been amended. It is submitted that no new matter has been added and no new issues have been raised by the present Amendment.

Claims 1, 4-15, 17 and 19 were rejected under 35 USC 102(3), as allegedly being anticipated by U.S. Patent 6,445,694 to Swartz. Claims 2-3, 16, 18 and 20 were rejected under §103(a), as allegedly unpatentable over Swartz in view of U.S. Patent 6,463,462 to Smith et al. Applicants have carefully considered the Examiner's comments and the cited art, and respectfully submit independent claims 1, 15, 17 and 19 are patentably distinct from the cited art, for at least the following reasons.

Independent claim 1 relates to a method of sending, receiving and managing messaging data through a shell interface to a computer operating system of a computer, the shell interface containing logical and virtual references to components on the computer, comprising installing a messaging component into the shell interface, displaying at least one messaging entry through the shell interface, the displayed messaging entry identifying received faxes, voicemails and/or pager messages and invoking an appropriate communication service for accessing one of the received faxes, voicemails and pager messages, wherein the selected message is selected through the shell interface.

Swartz, as understood by Applicant, relates to an internet controlled telephone system. Using a web browser running on a subscriber computer, the subscriber assesses a predetermined web page at a predetermined URL. The host services computer responds with a request to the subscriber to enter a user ID and password. If successful, the host transmits a

main menu webpage having hypertext links to different web pages to the subscriber machine. Accordingly, Swartz relates to a *web-based interface* system.

In contrast, Independent claim 1 relates to a method of sending, receiving and managing messaging data through a *shell interface* to a computer operating system of a computer, the shell interface containing logical and virtual references to components on the computer.

Accordingly, Applicants submit independent claim 1 is patentably distinct from the cited art.

Independent claims 15 and 17 are believed to be patentably distinct from the cited art for at least similar reasons.

In addition, independent claim 19 relates to a system for sending, receiving and managing messaging data, comprising a plurality of communication services providing fax, voicemail and/or pager messaging services and at least one messaging client having a shell interface to a computer operating system of a computer, the shell interface with a messaging component to display at least one messaging entry through the shell interface and is also thus believed to be patentably distinct from the cited art.

The Office is hereby authorized to charge any additional fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a petition for an additional extension of time is required to make this response timely, this paper should be considered to be such a petition, and the Commissioner is authorized to charge the requisite fees to our Deposit Account 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Entry of this amendment is earnestly solicited and it is respectfully submitted that this amendment raises no new issues requiring further consideration and/or search.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Richard F. Jaworski', written over a horizontal line.

RICHARD F. JAWORSKI  
Reg. No. 33,515  
Attorney for Applicants  
Cooper & Dunham LLP  
Tel.: (212) 278-0400